

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
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)
Paul Williams for Congress and) Audit Referral #02-16
Michael Mundy, as Treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on April 1, 2003, do hereby certify that the Commission decided by a vote of 4-2 to take the following actions with respect to Audit Referral #02-16:

1. Open a MUR.
2. Find reason to believe that Paul Williams for Congress and Michael Mundy, as treasurer, failed to maintain records in violation of 2 U.S.C. § 432(d) and 11 CFR §§ 104.14(b)(1)-(3) and 102.9(c), subject to the appropriate revisions to the statutory and regulatory citations pursuant to the meeting discussion.
3. Find reason to believe that Paul Williams for Congress and Michael Mundy, as treasurer, failed to disclose contributions and exercise best efforts to obtain contributor information in violation of 2 U.S.C. § 434(b)(3)(A) and 11 CFR §§ 104.3(a)(4) and 104.7(a)-(b).

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4. Find reason to believe that Paul Williams for Congress and Michael Mundy, as treasurer, failed to disclose and continually report outstanding debts and obligations in violation of 2 U.S.C. § 434(b)(8) and 11 CFR §§ 104.3 and 104.11.
5. Find reason to believe that Paul Williams for Congress and Michael Mundy, as treasurer, failed to disclose operating expenditures in violation of 2 U.S.C. § 434(b)(5)(A); and failed to keep records, and failed to report and itemize disbursements in violation of 2 U.S.C. § 432(i) and 11 CFR §§ 102.10 and 104.3(b)(4).
6. Find reason to believe that Paul Williams for Congress and Michael Mundy, as treasurer, made excess cash disbursements in violation of 2 U.S.C. § 432(h) and 11 CFR § 102.11.
7. Find reason to believe that Paul Williams and Paul Williams for Congress and Michael Mundy, as treasurer, used campaign funds for personal use in violation of 2 U.S.C. § 439(a) and 11 CFR § 113.1(g).
8. Find reason to believe that Paul Williams for Congress and Michael Mundy, as treasurer, misstated financial activity in violation of 2 U.S.C. §§ 434(b)(1), 434(b)(2) and 434(b)(4).

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9. Find reason to believe that Paul Williams for Congress and Michael Mundy, as treasurer, failed to deposit receipts into campaign depositories, made disbursements from unregistered campaign depositories, and failed to properly report campaign depositories in violation of 2 U.S.C. § 432(h) and 11 CFR §§ 103.1 and 103.3(a).
 10. Approve the appropriate Factual and Legal Analysis, subject to revisions pursuant to the meeting discussion.
 11. Enter into conciliation with Paul Williams and Paul Williams for Congress prior to a finding of probable cause to believe.
 12. Approve the appropriate Conciliation Agreement
 13. Approve the appropriate letter.

Commissioners Mason, McDonald, Thomas, and Weintraub voted affirmatively for the decision. Commissioners Smith and Toner dissented.

Attest:

April 2, 2003
Date

Darlene Harris
Darlene Harris
Deputy Secretary of
the Commission